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FAX COVER SHEET

DATE: May 14, 2004

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TO: **Examiner J. Graser - Art Unit 1645**
United States Patent & Trademark Office

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FROM: Mark J. Hyman (Reg. No. 46,789)

RE: App. No. 10/712,713
Application of: Choi et al.Atty. Docket No. PB515P1C1
Filed: November 14, 2003**The following documents were filed by Human Genome Sciences, Inc.
via facsimile on May 14, 2004:**

1. Fax Cover Sheet
2. Fee Transmittal Sheet
3. Provisional Election Under 37 C.F.R. § 1.143 With Traverse And
Amendment Under 37 C.F.R. § 1.111
4. Certificate of Transmission Under 37 C.F.R. § 1.8

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PTO/SB/17 (10-03)

Approved for use through 7/31/2005. OMB 0651-0032

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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2004</h2> <p style="font-size: small; margin: 0;">Effective 10/01/2007, Patent fees are subject to annual revision</p>		Complete if Known	
		Application Number	10/712,713-Conf. #9281
		Filing Date	November 14, 2003
		First Named Inventor	Gil H. Choi
		Examiner Name	J. E. Graser
		Art Unit	1845
		Attorney Docket No.	PB515P1C1
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$)		0.00	

METHOD OF PAYMENT (check all that apply) <div style="margin-top: 5px;"> <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None </div> <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> Deposit Account: </div> <div style="margin-top: 5px;"> Deposit Account Number: 08-3425 </div> <div style="margin-top: 5px;"> Deposit Account Name: Human Genome Sciences, Inc. </div> <div style="margin-top: 5px;"> The Director is authorized to (check all that apply): </div> <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments </div> <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account </div>	FEE CALCULATION (continued) <div style="margin-top: 10px;"> <h3 style="margin: 0;">3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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**or number previously paid, if greater. For Reissues, see above

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gil H. Choi

Docket No.: PB515P1C1

Application No.: 10/712,713

Confirmation No.: 9281

Filed: November 14, 2003

Art Unit: 1645

For: 37 STAPHYLOCOCCUS AUREUS GENES
AND POLYPEPTIDES

Examiner: J. E. Graser

OFFICIAL

**PROVISIONAL ELECTION UNDER 37 C.F.R. § 1.143 WITH TRAVERSE AND
AMENDMENT UNDER 37 C.F.R. § 1.111**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed April 16, 2004, please consider the following amendments, traversal, provisional election, and remarks. Applicants respectfully request that the Examiner enter the following amendments prior to examination of the captioned application. Applicants submit a Fee Transmittal Sheet concurrently herewith.

Applicants respectfully request the entry of the following amendments: